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8 *f/k/a The Bank of New York as Trustee for*
9 *the Benefit of the Certificate Holders of the*
10 *CWALT, Inc., Alternative Loan Trust 2004-*
11 *8CB Mortgage Pass Through Certificates,*
12 *Series 2004-8CB*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

13 THE BANK OF NEW YORK MELLON FKA
14 THE BANK OF NEW YORK AS TRUSTEE
15 FOR THE BENEFIT OF THE CERTIFICATE
16 HOLDERS OF THE CWALT, INC.,
17 ALTERNATIVE LOAN TRUST 2004-8CB
18 MORTGAGE PASS THROUGH
19 CERTIFICATES, SERIES 2004-8CB;

20 Plaintiff,
21 vs.

22 TIERRA DE LAS PALMAS OWNERS
23 ASSOCIATION; SFR INVESTMENTS POOL I,
24 LLC; and ABSOLUTE COLLECTION
25 SERVICES, LLC,

26 Defendants.

Case No.: 2:17-cv-02112-JAD-CWH

STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES

[FIRST REQUEST]

27 The Bank of New York Mellon f/k/a The Bank of New York as Trustee for the Benefit of the
28 Certificate Holders of the CWALT, Inc., Alternative Loan Trust 2004-8CB Mortgage Pass Through
Certificates, Series 2004-8CB (**BoNYM**), Absolute Collections Services, LLC (**Absolute**), and SFR
Investments Pool 1, LLC¹ (**SFR**) by and through their respective counsel of record, and hereby
jointly submit this Stipulation and Order to Extend Discovery Deadlines (First Request) pursuant to

¹ Tierra De Las Palmas Owners Association has not appeared in the case.

1 LR IA 6-1 and LR 26-4. This is the first stipulation to extend the discovery deadlines set by the
2 Scheduling Order (ECF No. 17) entered by the Court on September 29, 2017.

3 **A. STATEMENT SPECIFYING THE DISCOVERY COMPLETED**

4 **1. Rule 26 Disclosures**

5 Plaintiff BoNYM served its Initial Disclosures on September 28, 2017.

6 Plaintiff BoNYM served its First Supplement to Initial Disclosures on December 1, 2017.

7 Plaintiff BoNYM served its Initial Expert Disclosures on December 29, 2017.

8 Defendant Absolute served its Initial Disclosures on January 23, 2018.

9 **2. Written Discovery**

10 Plaintiff BoNYM served its first set of interrogatories, requests for admissions and requests
11 for production of documents to Absolute on November 6, 2017.

12 Plaintiff BoNYM served its first set of interrogatories, requests for admissions and requests
13 for production of documents to SFR on November 6, 2017.

14 Defendant SFR served its responses to requests for production of documents, response to
15 requests for admission and answers to interrogatories on December 11, 2017.

16 Defendant Absolute served its responses to requests for admission on December 11, 2017,
17 responses to requests for production of documents on January 23, 2018, and answers to
18 interrogatories on January 24, 2018.

19 Defendant SFR served its first set of requests for admission, requests for production, and
20 interrogatories to BoNYM on January 24, 2018.

21 Plaintiff BoNYM served a Subpoena Duces Tecum upon the HOA, with the response due by
22 February, 12, 2018.

23 **3. Depositions**

24 BoNYM deposed Absolute Collections on January 26, 2018.

25 BoNYM subpoenaed the HOA for deposition to take place on February 23, 2018.

26 SFR noticed the deposition of BoNYM for February 16, 2018.

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B. STATEMENT OF DISCOVERY REMAINING TO BE COMPLETED

SFR's deposition of BoNYM. SFR's Initial Disclosures; BoNYM's responses to SFR's written discovery; BoNYM's deposition of the HOA; and the HOA's response to BoNYM's Subpoena Duces Tecum. The parties reserve the right to conduct any additional discovery.

C. REASONS WHY AN EXTENSION IS REQUIRED

SFR has scheduled the deposition for BoNYM for February 16, 2018. The parties are in the process of meeting and conferring regarding the deposition topics and have agreed that BoNYM will respond to written discovery in order to potentially limit the deposition topics. SFR served written discovery on BoNYM on January 24, 2018. The parties have agreed to conduct BoNYM's deposition within the second week of March so that BoNYM can respond to discovery and based upon BoNYM's witness availability.

D. PROPOSED SCHEDULE FOR ALL REMAINING DISCOVERY

	<u>Current Deadline</u>	<u>Proposed Deadline</u>
Discovery Cut-Off:	Wednesday, February 28, 2018	March 26, 2018
Dispositive Motions Deadline:	Friday, March 30, 2018	April 25, 2018
Pretrial Order Deadline:	Monday, April 30, 2018	May 25, 2018

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E. CURRENT TRIAL DATE

The court **has not** yet set a trial date.

Based on the foregoing, the parties respectfully request the court extend the remaining discovery deadlines as requested above.

The parties make this request in good faith and believe good cause exists for extending these deadlines.

Dated: February __, 2018

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ORDER

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: February 9, 2018